		Application No.	Applicant(s)
Notice of Allowability		09/761,719	INOUE ET AL.
		Examiner	Art Unit	
		Mary Cheung	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *RCE filed on 25 July 2006*.

2. ☒ The allowed claim(s) is/are *1,6,7,10-13,16,19-22,26,27,30-33,36,39-49 and 60-62*.

3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☒ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the

changes and/or additions be unacceptable to applicant, an amendment may be

filed as provided by 37 CFR 1.312. To ensure consideration of such an

amendment, it MUST be submitted no later than the payment of the issue fee.

2.   Authorization for this examiner's amendment was given in a telephone

interview with attorney Brian Klock on September 28, 2006.

3.   The application has been amended as follows:

1. (Currently Amended) A digital contents distribution system having a

client, a digital contents server, a roaming server, and a network connected

between the client, the digital contents server, and the roaming server,

          wherein said roaming server comprises means:

          for receiving from the digital contents server a digital content

protected by a first intellectual property right protection system, wherein the

digital content includes information uniquely specifying the first intellectual

property right protection system protecting the digital content;

          means for receiving from said client, in a case where said client

cannot process said first intellectual property right protection system, change

request information for changing the first intellectual property right protection

system to a second intellectual property right protection system that said client

can process;

          means for changing the first intellectual property right protection

system protecting the received digital content to said second intellectual property right protection system based on the change request information, wherein said means for changing the first intellectual property right protection system also changes the information uniquely specifying the first intellectual property right protection system protecting the digital content to information uniquely specifying the second intellectual property right protection system; and

means for transmitting the digital content protected by the second intellectual property right protection system to said client,

wherein the first and second intellectual property right protection systems each comprise an IPMP System, and

wherein IPMPS_Type in IPMP_Descriptor IPMP Message prescribed in ISO/IEC SC29 14496-1 IS:1998 is used to identify the IPMP system.

2 - 5 (Cancelled)

6. (Original) A system according to claim 1, wherein said roaming server includes means for vicariously executing authentication between said client and said digital contents server.

7. (Original) A system according to claim 1, wherein the digital content comprises digital data encoded in accordance with MPEG-4.

8. - 9. (Cancelled)

10. (Currently Amended) A system according to claim 9 1, wherein said client includes means for transmitting information on IPMPS_Type available for the client to said roaming server.

11. (Original) A system according to claim 10, wherein said client includes means for transmitting IP_address (Internet Protocol address) information for identification of said client.

12. (Original) A system according to claim 10, wherein said client includes means for transmitting URL (Uniform Resource Locator) information for identification of the digital content.

13. (Currently Amended) A digital contents distribution system having a client, a roaming server, and a network connected between the client and the roaming server,

wherein said roaming server comprises:

means for receiving from said client a digital content protected by a first intellectual property right protection system, wherein the digital content includes information uniquely specifying the first intellectual property right protection system protecting the digital content,

means for receiving from said client, in a case where said client

cannot process said first intellectual property right protection system, change request information for changing the first intellectual property right protection system to a second intellectual property right protection system that said client can process,

means for changing the first intellectual property right protection system protecting the received digital content to the second intellectual property right protection system based on the change request information, wherein said means for changing the first intellectual property right protection system also changes the information uniquely specifying the first intellectual property right protection system protecting the digital content to information uniquely specifying the second intellectual property right protection system, and

means for transmitting the digital content protected by the second intellectual property right protection system to said client,

wherein the first and second intellectual property right protection systems each comprise an IPMP System, and

wherein IPMPS_Type in IPMP_Descriptor IPMP Message prescribed in ISO/IEC SC29 14496-1 IS:1998 is used to identify the IPMP system.

14. - 15. (Cancelled)

16. (Original) A system according to claim 13, wherein the digital content comprises digital data encoded in accordance with MPEG-4.

17. - 18. (Cancelled)

19. (Currently Amended) A system according to claim ~~18~~ 13,
wherein said client includes means for transmitting information on IPMPS_Type
available for the client to said roaming server.

20. (Original) A system according to claim 19, wherein said client
includes means for transmitting IP_address (Internet Protocol address)
information for identification of said client.

21. (Original) A system according to claim 19, wherein said client
has means for transmitting URL (Uniform Resource Locator) information for
identification of the digital content.

22. (Currently Amended) A roaming server connected to a client
and to a digital contents server through a network, comprising:

receiving means for receiving from said digital contents server a
digital content protected by a first intellectual property right protection system,
wherein the digital content includes information uniquely specifying the first
intellectual property right protection system protecting the digital content;

means for receiving from the client, in a case where said client
cannot process said first intellectual property right protection system, change

request information for changing the first intellectual property right protection

system to a second intellectual property right protection system that said client

can process;

changing means for changing the first intellectual property right

protection system protecting the received digital content to said second

intellectual property right protection system based on the change request

information, wherein said means for changing the first intellectual property right

protection system also changes the information uniquely specifying the first

intellectual property right protection system protecting the digital content to

information uniquely specifying the second intellectual property right protection

system; and

transmission means for transmitting to the client the digital content

protected by the second intellectual property right protection system,

wherein the first and second intellectual property right protection

systems each comprise an IPMP System, and

wherein IPMPS_Type in IPMP_Descriptor IPMP Message

prescribed in ISO/IEC SC29 14496-1 IS:1998 is used to identify the IPMP

system.

23 - 25. (Cancelled)

26. (Original) A roaming server according to claim 22, further

comprising means for vicariously executing authentication between said client

and said digital contents server.

27. (Original) A roaming server according to claim 22, wherein the digital content comprises digital data encoded in accordance with MPEG-4.

28. - 29. (Cancelled)

30. (Currently Amended) A roaming server according to claim 29 22, further comprising means for receiving IPMPS Type available for said client.

31. (Currently Amended) A roaming server according to claim 29 22, further comprising means for receiving IP_address (Internet Protocol address) information for identification of said client.

32. (Original) A roaming server according to claim 30, further comprising means for receiving URL (Uniform Resource Locator) information for identification of the digital content.

33. (Currently Amended) A roaming server connected to a client through a network, comprising:

receiving means for receiving from said client a digital content protected by a first intellectual property right protection system, wherein the digital content includes information uniquely specifying the first intellectual

property right protection system protecting the digital content;

receiving means for receiving from the client, in a case where said

client cannot process said first intellectual property right protection system,

change request information for changing the first intellectual property right

protection system to a second intellectual property right protection system that

said client can process, and

changing means for changing the first intellectual property right

protection system protecting the received digital content to said second

intellectual property right protection system based on the change request

information, wherein said changing means also changes the information uniquely

specifying the first intellectual property right protection system protecting the

digital content to information uniquely specifying the second intellectual property

right protection system; and

transmission means for transmitting to the client the digital content

protected by the second intellectual property right protection system,

wherein the first and second intellectual property right protection

systems each comprise an IPMP System, and

wherein IPMPS_Type in IPMP_Descriptor IPMP Message

prescribed in ISO/IEC SC29 14496-1 IS:1998 is used to identify the IPMP

system.

34. - 35. (Cancelled)

36. (Original) A roaming server according to claim 33, wherein the digital content comprises digital data encoded in accordance with MPEG-4.

37. - 38. (Cancelled)

39. (Currently Amended) A roaming server according to claim 38 33, further comprising means for receiving information on IPMPS_Type available for said client.

40. (Original) A roaming server according to claim 39, further comprising means for receiving IP_address (Internet Protocol address) information for identification of said client.

41. (Original) A roaming server according to claim 39, further comprising means for receiving URL (Uniform Resource Locator) information for identification of the digital content.

42. (Currently Amended) A digital contents distribution method in a system having a client, a digital contents server, a roaming server, and a network connected between the client, the digital contents server, and the roaming server, said method comprising the steps of:

receiving by the roaming server from the digital contents server a digital content protected by a first intellectual property right protection system,

wherein the digital content includes information uniquely specifying the first

intellectual property right protection system protecting the digital content;

receiving by the roaming server from the client, in a case where

said client cannot process said first intellectual property right protection system,

change request information for changing the first intellectual property right

protection system to a second intellectual property right protection system that

said client can process;

changing by the roaming server the first intellectual property right

protection system protecting the received digital content to said second

intellectual property right protection system based on the change request

information, wherein said means for changing the first intellectual property right

protection system also changes the information uniquely specifying the first

intellectual property right protection system protecting the digital content to

information uniquely specifying the second intellectual property right protection

system; and

transmitting the digital content protected by the second intellectual

property right protection system to the client,

wherein the first and second intellectual property right protection

systems each comprise an IPMP System, and

wherein IPMPS_Type in IPMP_Descriptor IPMP Message

prescribed in ISO/IEC SC29 14496-1 IS:1998 is used to identify the IPMP

system.

43. (Previously Presented) A storage medium storing program codes for executing the digital contents distribution method of claim 42.

44. (Currently Amended) A digital contents distribution method in a system structured by having a client, a roaming server, and a network connected between the client and the roaming server, said method comprising the steps of:

receiving by said roaming server from said client a digital content protected by a first intellectual property right protection system, wherein the digital content includes information uniquely specifying the first intellectual property right protection system protecting the digital content;

receiving by said roaming server from the client, in a case where said client cannot process said first intellectual property right protection system, change request information for changing the first intellectual property right protection system to a second intellectual property right protection system that said client can process;

changing by said roaming server the first intellectual property right protection system protecting the received digital content to said second intellectual property right protection system based on the change request information, wherein said changing step also changes the information uniquely specifying the first intellectual property right protection system protecting the digital content to information uniquely specifying the second intellectual property right protection system; and

transmitting the digital content protected by the second intellectual

property right protection system from said roaming server to said client,

wherein the first and second intellectual property right protection

systems each comprise an IPMP System, and

wherein IPMPS_Type in IPMP_Descriptor IPMP Message

prescribed in ISO/IEC SC29 14496-1 IS:1998 is used to identify the IPMP

system.

45. (Previously Presented) A storage medium storing program

codes for executing the digital contents distribution method of claim 44.

46. (Currently Amended) A digital contents distribution method for

a roaming server connected to a client and to a digital contents server through a

network, said method comprising the steps of:

receiving from said digital contents server a digital content

protected by a first intellectual property right protection system, wherein the

digital content includes information uniquely specifying the first intellectual

property right protection system protecting the digital content;

receiving from the client, in a case where said client cannot process

said first intellectual property right protection system, change request information

for changing the first intellectual property right protection system to a second

intellectual property right protection system that said client can process;

changing the first intellectual property right protection system

protecting the received digital content to said second intellectual property right

protection system based on the change request information, wherein said

changing step also changes the information uniquely specifying the first

intellectual property right protection system protecting the digital content to

information uniquely specifying the second intellectual property right protection

system; and

transmitting the digital content protected by the second intellectual

property right protection system to the client,

wherein the first and second intellectual property right protection

systems each comprise an IPMP System, and

wherein IPMPS_Type in IPMP_Descriptor IPMP Message

prescribed in ISO/IEC SC29 14496-1 IS:1998 is used to identify the IPMP

system.

47. (Previously Presented) A storage medium storing program

codes for executing the digital contents distribution method of claim 46.

48. (Currently Amended) A digital contents distribution method for

a roaming server connected to a client through a network, said method

comprising the steps of:

receiving from said client a digital content protected by a first

intellectual property right protection system, wherein the digital content includes

information uniquely specifying the first intellectual property right protection

system protecting the digital content;

receiving from the client, in a case where said client cannot process said first intellectual property right protection system, change request information for changing the first intellectual property right protection system to a second intellectual property right protection system that said client can process;

changing the first intellectual property right protection system protecting the received digital content to said second intellectual property right protection system based on the change request information, wherein said changing step also changes the information uniquely specifying the first intellectual property right protection system protecting the digital content to information uniquely specifying the second intellectual property right protection system; and

transmitting the digital content protected by the second intellectual property right protection system to said client,

wherein the first and second intellectual property right protection systems each comprise an IPMP System, and

wherein IPMPS_Type in IPMP_Descriptor IPMP Message prescribed in ISO/IEC SC29 14496-1 IS:1998 is used to identify the IPMP system.

49. (Previously Presented) A storage medium storing program codes for executing the digital contents distribution method of claim 48.

50.-59. (Cancelled)

60. (Currently Amended) A data processing method for a client connected to a digital contents server and a roaming server through a network, comprising the steps of:

receiving a digital content protected by a first intellectual property right protection system, from said digital contents server, wherein the digital content includes information uniquely specifying the first intellectual property right protection system protecting the digital content;

transmitting, to said roaming server, in a case where said client cannot process said first intellectual property right protection system, the received digital content and change request information for changing the first intellectual property right protection system to a second intellectual property right protection system that said client can process; and

receiving, from said roaming server, the digital content whose intellectual property right protection system is changed to said second intellectual property right protection system based on the change request information, wherein, in the digital content, the information uniquely specifying the first intellectual property right protection system protecting the digital content is also changed to information uniquely specifying the second intellectual property right protection system,

wherein the first and second intellectual property right protection systems each comprise an IPMP System, and

wherein IPMPS_Type in IPMP_Descriptor IPMP Message

prescribed in ISO/IEC SC29 14496-1 IS:1998 is used to identify the IPMP

system.

61.   (Currently Amended) A data processing method for a client

connected to a digital contents server and a roaming server through a network,

comprising the steps of:

requesting said digital contents server to transmit a desired digital

content which is protected by a first intellectual property right protection system,

wherein the digital content includes information uniquely specifying the first

intellectual property right protection system protecting the digital content;

transmitting, in a case where the client cannot process the first

intellectual property right protection system, information on a second intellectual

property right protection system available for said client, to said digital contents

server; and

receiving the desired digital content protected by said second

intellectual property right protection system, from said roaming server,

wherein said receiving step of the desired digital content is

arranged so that said roaming server receives, from said digital contents server,

the desired digital content protected by the first intellectual property right

protection system and the information on said second intellectual property right

protection system, and changes the first intellectual property right protection

system of the digital content to said second intellectual property right protection

system available for said client on the basis of the received information, thereby

providing the desired digital content protected by said second intellectual

property right protection system available for said client, wherein, in the changed

intellectual property right protection system, the information uniquely specifying

the first intellectual property right protection system protecting the digital content

is also changed to information uniquely specifying the second intellectual

property right protection system,

     wherein the first and second intellectual property right protection

systems each comprise an IPMP System, and

     wherein IPMPS_Type in IPMP_Descriptor IPMP Message

prescribed in ISO/IEC SC29 14496-1 IS:1998 is used to identify the IPMP

system.

     62.   (Currently Amended) A data distribution method for a digital

contents server connected to a client and a roaming server through a network,

comprising the steps of:

     receiving a transmission request of a desired digital content, which

is protected by a first intellectual property right protection system, from said

client, wherein the digital content includes information uniquely specifying the first

intellectual property right protection system protecting the digital content;

     receiving, in a case where the client cannot process the first

intellectual property right protection system, information on a second intellectual

property right protection system available for said client;

transmitting the desired digital content and the information on said

second intellectual property right protection system to the roaming server so that

the roaming server can change the first intellectual property right protection

system to the second intellectual property right protection system based on the

information on said second intellectual property right protection system, and can

transmit the desired digital content protected by said second intellectual property

right protection system to said client, wherein, in the changed intellectual

property right system, the information uniquely specifying the first intellectual

property right protection system protecting the digital content is also changed to

information uniquely specifying the second intellectual property right protection

system,

wherein the first and second intellectual property right protection

systems each comprise an IPMP System, and

wherein IPMPS_Type in IPMP_Descriptor IPMP Message

prescribed in ISO/IEC SC29 14496-1 IS:1998 is used to identify the IPMP

system.

REASONS FOR ALLOWANCE

4.   Claims 1, 6-7, 10-13, 16, 19-22, 26-27, 30-33, 36, 39-49 and 60-62 are

pending as by examiner's amendment shown above. All the pending claims are

allowed.

5.   The following is an examiner's statement of reasons for allowance:

The closest prior art of Ginter (US 5,892,900) teaches managing rights for digital contents in a virtual distribution environment.

In regarding to independent claims 1, 13, 22, 33, 42, 44, 46, 48 and 60-62, Ginter taken either individually or in combination with other prior art of record fails to teach or suggest a roaming server receives from a client that said client cannot process the first intellectual property right protection system and change request information for changing the first property right protection system to a second intellectual property right protection system that said client can process, wherein the first and second intellectual right protection systems each comprise an IPMP System, and wherein IPMP_Type in IPMP_Descriptor IPMP Message prescribed in ISO/IEC SC29 14496-1 IS:1998 is used to identify the IPMP system.

6.   Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Article titled "Intellectual Property Rights in Data?" by Reichman et al. (Vanderbilt Law Review, v50n1, pp49-166, January 1997, ISSN: 0042-2533).

Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is

(571)-272-6705. The examiner can normally be reached on Monday – Thursday from 10:00 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer, can be reached on (571) 272-6779.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

The fax phone number for the organization where this application or proceedings is assigned are as follows:

(571) 273-8300   (Official Communications; including After Final

Communications labeled "BOX AF")

(571) 273-6705   (Draft Communications)

Mary Cheung
September 28, 2006

MARY D. CHEUNG
PRIMARY EXAMINER